

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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AMTRUST FINANCIAL SERVICES, INC.,

Plaintiff,

v.

ANTONIO SOMMA and MARCO LACCHINI,

Defendants.
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Case No. 16-cv-02575 (PAE)

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**DECLARATION OF DEFENDANT
MARCO LACCHINI**

I, MARCO LACCHINI, declare as follows:

1. I reserve all rights and defenses, including with respect to service, personal jurisdiction, and venue, under all applicable law, and specifically assert that this Court lacks jurisdiction over me. For that reason, I put Plaintiff on notice that I reserve all rights, including the right to resist the enforcement of any judgment that might be entered against me in this case.

2. I have read the Complaint, dated April 6, 2016, in the above-captioned action and submit this Declaration in support of the motion to dismiss the action against me on the grounds of, among others, lack of personal jurisdiction.

Purported Service

3. On July 19, 2016, I learned that there had been an attempt to serve me in Italy with certain process and pleadings in the above-captioned case. At that time I was not engaged in any business in New York or anywhere else in the United States. I am informed that on August 8, 2016, AmTrust filed with this U.S. Court an Italian Bailiff's Report of Service that references an apparent attempt to effectuate service to me on or about July 8, 2016. However, it is not clear whether AmTrust considers the Bailiff's Report to have any effect and it appears not

effective. One stamp on the Report (on the left side) translates from Italian as “I did not find the recipient on site and the concierge office was closed.” To the right of that, the Report states “Handed to LOI Doorman—in closed envelope. This qualification, [illegible] cohabiting, assumes the responsibility of delivery at domicile of recipient—family members currently absent.” The second page also has a stamp indicating that a registered letter was sent dated July 12, 2016. It also appears that service was attempted, in part, at a prior residential address where I no longer reside and not at all my current residential address. My correct place of residence is a matter of public record, filed in Rome. I do not believe I was ever properly served at all under Italian law, but my understanding is that I was served, if at all, at the earliest on July 19, 2016. I understand that the above-captioned case was commenced on April 6, 2016, at which time I also was not engaged in any business in New York or anywhere else in the United States.

Italian Citizenship and Domicile

4. I have always been solely and exclusively a citizen of Italy.
5. I currently reside in Rome, Italy.

No New York or United States Contacts

6. I have never resided in the State of New York or anywhere else in the United States.
7. I have never owned any real property in the State of New York or anywhere else in the United States.
8. I have never conducted any business activities in the State of New York or anywhere else in the United States.

9. I have never maintained an office in the State of New York or anywhere else in the United States.

10. I have never been employed by any entity or employer in the State of New York or anywhere else in the United States.

11. I have never received any income or revenue from goods used or consumed, or services rendered in New York or anywhere else in the United States, or from interstate or international commerce involving New York or involving the United States.

12. I have never solicited business by targeting customers in the State of New York or anywhere else in the United States.

13. I have never had a mailing address in the State of New York or anywhere else in the United States.

14. I have never owned or maintained any personal bank or investment account of any type in the State of New York or anywhere else in the United States.

15. I have never employed anyone in any capacity in the State of New York or anywhere else in the United States.

16. I have never travelled to the State of New York or anywhere else in the United States.

Contact with Plaintiff in Europe

17. I never met with Plaintiff, or anyone acting on its behalf, in New York or anywhere else in the United States.

18. My only in person contact with representatives from AmTrust Financial Services, Inc. was in my capacity as chairman of the arbitration panels during arbitration hearings in which all parties and counsel were present. All of these meetings occurred in Milan, Italy.

19. The correspondence concerning the arbitrations was sent by certified electronic mail to the parties' counsel, including AmTrust Financial Services, Inc.'s counsel, Quinn Emmanuel Urquhart & Sullivan, LLP, by Vincenzo Ussani, the secretary appointed by the arbitration panels.

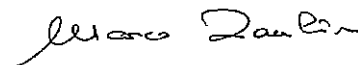
20. I am aware of one email that I sent in March 2016 from my professional e-mail address to the Arbitration panels and the solicitors of the parties, including Quinn Emmanuel Urquhart & Sullivan, LLP, in which I noted that the Arbitration proceedings had been suspended.

No Availment of New York Law

21. I have never initiated, been a plaintiff in, or participated in the filing of any legal action in the State of New York or anywhere else in the United States in my name or for my benefit.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed: Rome, Italy
August 9, 2016



Professor Marco Lacchini